

UNITED STATES DISTRICT COURT
DISTRICT OF NEBRASKA
OFFICE OF THE CLERK
www.ned.uscourts.gov

Denise M. Lucks
Clerk of Court

M. Therese Bollerup
Chief Deputy Clerk

August 9, 2007

2007 AUG 14 A 9:29

U.S. District Court-Northern District of California
2112 Robert F. Peckham Federal Bldg
280 South First Street
San Jose, CA 95113-3002

RICHARD W. WIEKING
CLERK
U.S. DISTRICT COURT
NO. DIST. OF CA. S. J. SM

CR-07-00493-JW

Re: Geno King
USDC-NE - 4:02CR3097-RGK

Dear Clerk:

Pursuant to the transfer order filed in our court on 08/09/2007, the probation/supervision of the above-mentioned individual is transferred to the Northern District of California.

Enclosed are the following documents along with a certified copy of the docket sheet:

1. Certified copy of the Indictment;
2. Certified copy of the Judgment & Commitment Order (with conditions of supervision);
3. Certified copy of the Amended Judgment & Commitment (with conditions of supervision); and
3. Certified copy of the Transfer of Jurisdiction Order.

Please acknowledge receipt of these documents at the bottom of this letter as indicated and return it to the Lincoln office. Thank you for your assistance.

Sincerely,

DENISE M. LUCKS, Clerk

By: s/ Connie J. Schultz
Deputy Clerk

Enclosures

cc: Chief Probation Officer - NE (without enclosures)
Chief Probation Officer - CA (without enclosures)

The above-referenced documents were received by the U.S. District Court for the Northern District of California on _____ by _____.

Date

Signature

Receiving Court's Assigned Case No: _____

111 South 18th Plaza, Suite 1152
Omaha, NE 68102-1322
(402) 661-7350
Fax: (402) 661-7387
Toll Free: (866) 220-4381

100 Centennial Mall North, Room 593
Lincoln, NE 68508-3803
(402) 437-5225
Fax: (402) 437-5651
Toll Free: (866) 220-437

Rec - emailed 8/14/07

FILED
U.S. DISTRICT COURT
DISTRICT OF NEBRASKA

CR 07 00493 JW

PVT

PROB 22 2007 AUG -9 AM 9:57

Docket No. (Transferring Court) 4:02CR3097

Docket No. (Receiving Court) _____

TRANSFER OF JURISDICTION

Name and Address of Probationer/Supervised Releasee:

Geno King
1187 Second Street #B
Monterey, CA 93940
District: Nebraska

Division: Lincoln

Name of Sentencing Judge: The Honorable Richard G. Kopf, United States District Judge

Dates of Supervised Release - From: January 30, 2006
To: January 29, 2011

Offense:

Possession with Intent to Distribute Cocaine Base - 21 U.S.C. 841(a)(1) & (b)(1)

PART 1 - ORDER TRANSFERRING JURISDICTION

United States District Court for the District of Nebraska

IT IS HEREBY ORDERED that pursuant to 18 U.S.C. 3605 the jurisdiction of the probationer or supervised releasee named above be transferred with the records of this Court to the United States District Court for the Northern District of California (San Jose), upon that Court's order of acceptance of jurisdiction. This Court hereby expressly consents that the period of probation or supervised release may be changed by the District Court to which this transfer is made without further inquiry of this Court.

June 29, 2006
Date

Richard G. Kopf
The Honorable Richard G. Kopf
United States District Judge

PART 2 - ORDER ACCEPTING JURISDICTION

United States District Court for the Northern District of California (San Jose)

IT IS HEREBY ORDERED that jurisdiction over the above-named probationer or supervised releasee be accepted and assumed by this Court from and after the entry of this order.

July 25, 2007
Effective Date

James L. Dale
United States District Judge

THE DOCUMENT
hereby attest and certify this is a printed
copy of a document which was
electronically filed with the US District
Court for the District of Nebraska.
Dated: 8/9/07

OFFICE OF THE CLERK

[Signature]
Deputy Clerk

Probation Transfer CR-04-00493 -JW
 UNITED STATES DISTRICT COURT
 DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA
 Plaintiff

v.

Case Number 4:02CR3097

GENO L. KING

Defendant

Deborah D. Cunningham
 Defendant's Attorney

**AMENDED JUDGMENT IN A CRIMINAL CASE
 ON MOTION OF THE GOVERNMENT AFTER INITIAL SENTENCING
 (For Offenses Committed On or After November 1, 1987)**

Date of Original Judgment: 1/14/2003

Reason for Amendment:

Reduction of Sentence for Changed Circumstances (Fed. R. Crim. P. 35(b))

THE DEFENDANT pleaded guilty to count(s) I of the Indictment.

ACCORDINGLY, the court has adjudicated that the defendant is guilty of the following offense(s):

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
21 USC 841(a)(1) and 21 USC 841(b)(1)	Possess with intent to distribute cocaine base	April 18, 2002	I

The defendant is sentenced as provided in pages 2 through 5 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

Final order of forfeiture filed on 12/10/02 as to Count II of indictment.

[X] Government's motion (filing 36) for reduction of sentence pursuant to rule 35(b) is granted.

IT IS ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and United States attorney of any material change in the defendant's economic circumstances.

Defendant's Soc. Sec. No. 564-29-0141
 Defendant's Date of Birth: 01/07/1974
 Dft's U.S. Marshal No.: 17652-047

Date of Imposition of Sentence:
 September 29, 2003

Defendant's Residence Address:
 1514 Barcelona Circle
 Salinas, CA 93906

Defendant's Mailing Address:
 Same

s/ Richard G. Kopf

RICHARD G. KOPF
 UNITED STATES DISTRICT JUDGE

September 30, 2003

ECF DOCUMENT

I hereby attest and certify this is a printed copy of a document which was electronically filed with the US District Court for the District of Nebraska.

Date Filed: 9/30/03

OFFICE OF THE CLERK

By [Signature]
 Deputy Clerk

Defendant: GENO L. KING
Case Number: 4:02CR3097

Page 2 of 5

IMPRISONMENT

The defendant's sentence of imprisonment is reduced from the original sentence to a term of **fifty-four (54) months**.

The Court makes the following recommendations to the Bureau of Prisons:

1. The Court recommends in the strongest possible terms, that the defendant be enrolled in the 500-hour Intensive Drug Treatment Program or any similar drug treatment program available.
2. That the defendant be incarcerated in a federal facility as close to **San Jose, California**, as possible, in a camp-like facility.

ACKNOWLEDGMENT OF RECEIPT

I hereby acknowledge receipt of a copy of this judgment this ____ day of _____, _____

Signature of Defendant

RETURN

It is hereby acknowledged that the defendant was delivered on the ____ day of _____, _____ to _____, with a certified copy of this judgment.

UNITED STATES WARDEN

By: _____

NOTE: The following certificate must also be completed if the defendant has not signed the Acknowledgment of Receipt , above.

CERTIFICATE

It is hereby certified that a copy of this judgment was served upon the defendant this ____ day of _____, _____

UNITED STATES WARDEN

By: _____

Defendant: GENO L. KING
Case Number: 4:02CR3097

Page 3 of 5

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of **five (5) years**.

The defendant shall report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.

The defendant shall not illegally possess a controlled substance.

For offenses committed on or after September 13, 1994:

The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter.

The defendant shall not possess a firearm, destructive device, or any other dangerous weapon.

If this judgment imposes a fine or a restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine or restitution that remains unpaid at the commencement of the term of supervised release in accordance with the Schedule of Payments set forth in the Criminal Monetary Penalties sheet of this judgment.

The defendant shall comply with the standard conditions that have been adopted by this court (set forth below). The defendant shall also comply with any additional conditions.

STANDARD CONDITIONS OF SUPERVISION

1. The defendant shall not leave the judicial district without the permission of the court or probation officer;
2. The defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
3. The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
4. The defendant shall support his or her dependents and meet other family responsibilities;
5. The defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
6. The defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
7. The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
8. The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
9. The defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
10. The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;

Defendant: GENO L. KING
Case Number: 4:02CR3097

Page 4 of 5

11. The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
12. The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
13. As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

SPECIAL CONDITIONS OF SUPERVISION

1. Defendant shall be subject to the search of the defendant's premises, vehicle or person, day or night, with or without a warrant, at the request of the U.S. Probation Officer to determine the presence of controlled substances, firearms or any other contraband. Any such items found may be seized by the U.S. Probation Officer. This condition may be invoked with or without the cooperation of law enforcement officers.
2. Defendant shall complete **250 hours** of community service as approved and directed by the U.S. Probation Officer. The defendant shall be responsible for providing the U.S. Probation Officer with written proof of the number of hours completed.
3. Defendant shall provide the U.S. Probation Officer with access to any requested financial information.
4. Pursuant to 18 U.S.C. § 3583 (d), defendant shall submit to a drug test within fifteen (15) days of release on Supervised Release and at least two (2) periodic drug tests thereafter to determine whether the defendant is using a controlled substance. Further, defendant shall submit to such testing as requested by any U.S. Probation Officer to detect the presence of alcohol or controlled substances in the defendant's body fluids and to determine whether the defendant has used any of those substances. Defendant shall pay for the collection of urine samples to be tested for the presence of alcohol and/or controlled substances.
5. Defendant shall report to the Supervision Unit of the U.S. Probation Office for the District of Nebraska between the hours of 8:00 am and 4:30 pm, 284 Foam Street, #200, Monterey, California, 93940-2801, (831) 373-7722 within seventy-two (72) hours of release from confinement.

Defendant: GENO L. KING
Case Number: 4:02CR3097

Page 5 of 5

CRIMINAL MONETARY PENALTIES

The defendant shall pay the following total criminal monetary penalties in accordance with the schedule of payments set forth in this judgment.

Total Assessment

Total Fine

Total Restitution

\$100.00 - (PAID)

FINE

No fine imposed.

RESTITUTION

No Restitution was ordered.

SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay; payment of the total criminal monetary penalties shall be due as follows:

The \$100.00 special assessment is due immediately. **(PAID ON 1/10/03, RECEIPT #404170) .**

Unless the court has expressly ordered otherwise in the special instruction above, if this judgment imposes a period of imprisonment, payment of criminal monetary penalties shall be due during the period of imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court, unless otherwise directed by the court, the probation officer or the United States attorney.

All financial penalty payments are to be made to the Clerk of Court for the District of Nebraska, P.O. Box 83468, Lincoln, NE 68501.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

CLERK'S OFFICE USE ONLY:

ECF DOCUMENT

I hereby attest and certify this is a printed copy of a document which was electronically filed with the United States District Court for the District of Nebraska.

Date Filed: _____

GARY D. MCFARLAND, CLERK

By _____ Deputy Clerk

CLOSED

**U.S. District Court
District of Nebraska (4 Lincoln)
CRIMINAL DOCKET FOR CASE #: 4:02-cr-03097-RGK All Defendants
Internal Use Only**

Case title: USA v. King

Date Filed: 05/22/2002

Date Terminated: 01/14/2003

Assigned to: Judge Richard G. Kopf

Defendant**Geno L. King (1)***TERMINATED: 01/14/2003*represented by **Carlos A. Monzon**

MONZON LAW FIRM

650 J Street

Suite 401, Mill Towne Building

Lincoln, NE 68508

(402) 477-8188

Fax: (402) 477-8202

Email: MonzonLaw@aol.com

*TERMINATED: 07/15/2002**Designation: Public Defender or
Community Defender Appointment***Deborah D. Cunningham**

12020 Shamrock Plaza

Suite 300

Omaha, NE 68154-3543

(402) 334-3900

Fax: (402) 334-2121

Email:

deborahc@dclaw.omhcoxmail.com

*ATTORNEY TO BE NOTICED**Designation: CJA Appointment***Pending Counts**

21:841(a)(1) and (b)(1) -
NARCOTICS-POSSESSION
(1)

Disposition

Sentenced to 120 months to the Bureau
of Prisons. 5 years Supervised Release.
\$100.00 Special Assessment paid on
1/10/03 and defendant shall self
surrender before 2:00pm no earlier than
60 days from today's date

I certify this to be a true copy of
the original record in my custody.

OFFICE OF THE CLERK

By 

Deputy Clerk

Probation Transfer: CR-07-00493-JW

UNITED STATES DISTRICT COURT
 DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA
 Plaintiff

v.

Case Number 4:02CR3097

GENO L. KING

Defendant

Deborah D. Cunningham

Defendant's Attorney

JUDGMENT IN A CRIMINAL CASE
 (For Offenses Committed On or After November 1, 1987)

THE DEFENDANT pleaded guilty to count(s) I of the Indictment.

ACCORDINGLY, the court has adjudicated that the defendant is guilty of the following offense(s):

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
21 USC 841(a)(1) and 21 USC 841(b)(1)	Possess with intent to distribute cocaine base	April 18, 2002	I

The defendant is sentenced as provided in pages 2 through 5 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

Final order of forfeiture filed on 12/10/02 as to Count II of indictment.

IT IS ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and United States attorney of any material change in the defendant's economic circumstances.

Defendant's Soc. Sec. No. 564-29-0141
 Defendant's Date of Birth: 01/07/1974
 Dft's U.S. Marshal No.: 17652-047

Date of Imposition of Sentence:
 January 10, 2003

Defendant's Residence Address:
 1514 Barcelona Circle
 Salinas, CA 93906

Defendant's Mailing Address:
 Same

s/ Richard G. Kopf

ECF DOCUMENT

I hereby attest and certify this is a printed copy of a document which was electronically filed with the US District Court for the District of Nebraska.
 Date Filed: 1/14/03

OFFICE OF THE CLERK

By *[Signature]*
 Deputy Clerk

RICHARD G. KOPF
 UNITED STATES DISTRICT JUDGE

January 14, 2003

Defendant: GENO L. KING
Case Number: 4:02CR3097

Page 2 of 5

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of **one hundred twenty (120) months**.

The Court makes the following recommendations to the Bureau of Prisons:

1. The Court recommends in the strongest possible terms, that the defendant be enrolled in the 500-hour Intensive Drug Treatment Program or any similar drug treatment program available.
2. That the defendant be incarcerated in a federal facility as close to **San Jose, California**, as possible, in a camp-like facility.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons **before 2:00 P.M. no earlier than 60 days from today's date** as notified by the United States Marshal.

ACKNOWLEDGMENT OF RECEIPT

I hereby acknowledge receipt of a copy of this judgment this ____ day of _____, _____

Signature of Defendant

RETURN

It is hereby acknowledged that the defendant was delivered on the ____ day of _____, _____ to _____, with a certified copy of this judgment.

UNITED STATES WARDEN

By: _____

NOTE: The following certificate must also be completed if the defendant has not signed the Acknowledgment of Receipt , above.

CERTIFICATE

It is hereby certified that a copy of this judgment was served upon the defendant this ____ day of _____, _____

UNITED STATES WARDEN

By: _____

Defendant: GENO L. KING
Case Number: 4:02CR3097

Page 3 of 5

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of **five (5) years**.

The defendant shall report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.

The defendant shall not illegally possess a controlled substance.

For offenses committed on or after September 13, 1994:

The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter.

The defendant shall not possess a firearm, destructive device, or any other dangerous weapon.

If this judgment imposes a fine or a restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine or restitution that remains unpaid at the commencement of the term of supervised release in accordance with the Schedule of Payments set forth in the Criminal Monetary Penalties sheet of this judgment.

The defendant shall comply with the standard conditions that have been adopted by this court (set forth below). The defendant shall also comply with any additional conditions.

STANDARD CONDITIONS OF SUPERVISION

1. The defendant shall not leave the judicial district without the permission of the court or probation officer;
2. The defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
3. The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
4. The defendant shall support his or her dependents and meet other family responsibilities;
5. The defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
6. The defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
7. The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
8. The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
9. The defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
10. The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;

Defendant: GENO L. KING
Case Number: 4:02CR3097

Page 4 of 5

11. The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
12. The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
13. As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

SPECIAL CONDITIONS OF SUPERVISION

1. Defendant shall be subject to the search of the defendant's premises, vehicle or person, day or night, with or without a warrant, at the request of the U.S. Probation Officer to determine the presence of controlled substances, firearms or any other contraband. Any such items found may be seized by the U.S. Probation Officer. This condition may be invoked with or without the cooperation of law enforcement officers.
2. Defendant shall complete **250 hours** of community service as approved and directed by the U.S. Probation Officer. The defendant shall be responsible for providing the U.S. Probation Officer with written proof of the number of hours completed.
3. Defendant shall provide the U.S. Probation Officer with access to any requested financial information.
4. Pursuant to 18 U.S.C. § 3583 (d), defendant shall submit to a drug test within fifteen (15) days of release on Supervised Release and at least two (2) periodic drug tests thereafter to determine whether the defendant is using a controlled substance. Further, defendant shall submit to such testing as requested by any U.S. Probation Officer to detect the presence of alcohol or controlled substances in the defendant's body fluids and to determine whether the defendant has used any of those substances. Defendant shall pay for the collection of urine samples to be tested for the presence of alcohol and/or controlled substances.
5. Defendant shall report to the Supervision Unit of the U.S. Probation Office for the District of Nebraska between the hours of 8:00 am and 4:30 pm, 284 Foam Street, #200, Monterey, California, 93940-2801, (831) 373-7722 within seventy-two (72) hours of release from confinement.

Defendant: GENO L. KING
Case Number: 4:02CR3097

Page 5 of 5

CRIMINAL MONETARY PENALTIES

The defendant shall pay the following total criminal monetary penalties in accordance with the schedule of payments set forth in this judgment.

Total Assessment

Total Fine

Total Restitution

\$100.00 - (PAID)

FINE

No fine imposed.

RESTITUTION

No Restitution was ordered.

SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay; payment of the total criminal monetary penalties shall be due as follows:

The \$100.00 special assessment is due immediately. **(PAID ON 1/10/03, RECEIPT #404170)**.

Unless the court has expressly ordered otherwise in the special instruction above, if this judgment imposes a period of imprisonment, payment of criminal monetary penalties shall be due during the period of imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court, unless otherwise directed by the court, the probation officer or the United States attorney.

All financial penalty payments are to be made to the Clerk of Court for the District of Nebraska, P.O. Box 83468, Lincoln, NE 68501.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

CLERK'S OFFICE USE ONLY:

ECF DOCUMENT

I hereby attest and certify this is a printed copy of a document which was electronically filed with the United States District Court for the District of Nebraska.

Date Filed: _____

GARY D. MCFARLAND, CLERK

By _____ Deputy Clerk

UNSEALEDDATE 06/24/2002
PER FILING #2IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKAFILED
U.S. DISTRICT COURT
DISTRICT OF NEBRASKA
SEALED
02 MAY 22 PM 5:39
GARY D. McFARLAND
CLERK

UNITED STATES OF AMERICA,

Plaintiff,

v.

GENO L. KING,

Defendant.

4:02CR 3697

INDICTMENT
(21 U.S.C. §§ 841(a)(1)
841(b)(1)) and 853**JUDGE KOPF**

The Grand Jury Charges:

**MAGISTRATE JUDGE
PIESTER**COUNT I

On or about April 18, 2002, in the District of Nebraska, GENO L. KING, the defendant herein, did knowingly and intentionally possess with intent to distribute 50 grams or more of a mixture or substance containing a detectable amount of cocaine base (crack cocaine), a Schedule II controlled substance.

In violation of Title 21 United States Code, Section 841(a)(1) and Section 841(b)(1).

COUNT II

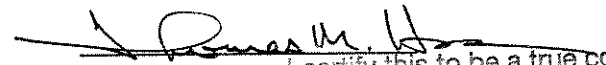
On or about April 18, 2002, in the District of Nebraska, GENO L. KING, the defendant herein, used or intended to use the following in furtherance of the violation set forth in Count I of this indictment: \$1052 in United States currency, seized from his person and his luggage which was located on the back seat of a vehicle out of which he was arrested; to commit and facilitate said controlled substance violations; alternatively, said currency proceeds obtained directly and/or indirectly as a result of the commission of said controlled substance violations. By virtue of the commission of the offense set forth in Count I herein, any and all interest GENO L. KING has in the above described currency hereby vests in the United States and should be forfeited to the same.

In violation of Title 21, United States Code, Section 853.

A TRUE BILL


MICHAEL G. HEAVICAN
United States Attorney

Foreperson


I certify this to be a true copy of
the original record in my custody.

OFFICE OF THE CLERK

By 
Deputy Clerk

The United States of America requests that the trial of this case be held in Lincoln, Nebraska,
pursuant to the rules of this Court.

A handwritten signature in dark ink, appearing to read "David W. Stempson", is written over a horizontal line.

DAVID W. STEMPSON
Special Assistant United States Attorney

Highest Offense Level (Opening)

Felony

Terminated Counts21:853 - CRIMINAL FORFEITURES
(2)**Disposition**final Order of forfeiture filed on 12/10/02
as to Count 2 of the Indictment**Highest Offense Level (Terminated)**

Felony

Complaints

None

Disposition**Plaintiff**

United States of America

represented by **David W. Stempson**
ASSISTANT UNITED STATES
ATTORNEY - LINCOLN
100 Centennial Mall North
Suite 487, Federal Building
Lincoln, NE 68508-3865
(402) 437-5241
Fax: (402) 437-5390
Email: sandy.lightle@usdoj.gov
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
05/22/2002	1	INDICTMENT filed by U.S. Attorney (FILED UNDER SEAL ON 05/22/02 AND UNSEALED ON 06/24/02) naming defendant Geno L. King in a two count Indictment with Possession with Intent to Distribute Cocaine Base (Crack Cocaine), More Than 50 Grams, in violation of 21:841(a)(1) and (b)(1), and with Criminal Forfeitures (\$1052 in U.S. Currency) in violation of 21:853; with request for trial at Lincoln, Nebraska. (RDB) Modified on 06/26/2002 (Entered: 06/25/2002)
05/22/2002		(Court only) Docket Modification (Utility Event) Case referred to Magistrate Judge David L. Piester - as to defendant Geno L. King (RDB) (Entered: 06/25/2002)
05/23/2002		ARREST Warrant issued for Geno L. King (RDB) (Entered: 06/25/2002)
06/24/2002	2	MINUTES: before Magistrate Judge David L. Piester - Court Reporter: electronic recorder; initial appearance of Geno L. King, PRO SE ; request for appointment of counsel is granted; detention hearing continued; detention

		hearing set for 06/26/02 at 10:00 a.m.; on motion of the government, this case is unsealed ; and defendant is remanded to custody of the U.S. Marshal. (RDB) (Entered: 06/25/2002)
06/24/2002	3	ORDER of Temporary Detention pending trial by Magistrate Judge David L. Piester as to Geno L. King - detention hearing set for 06/26/02 at 10:00 a.m. - COPIES MAILED (RDB) (Entered: 06/25/2002)
06/24/2002		(Court only) Docket Modification (Utility Event) re: Order [3-1], a detention hearing is set for 10:00 6/26/02 for Geno L. King (RDB) (Entered: 06/25/2002)
06/26/2002	4	MINUTES: before Magistrate Judge David L. Piester - Court Reporter: electronic recorder; defendant Geno L. King arraigned on Indictment; plea entered: not guilty; Assistant Federal Public Defendder Carlos A. Monzon present ; detention hearing held; defendant does request Rule 16 discovery material; trial set for 09/09/02 at 9:00 a.m.; order setting conditions of release to be entered; and defendant is remanded to custody of U.S. Marshal. (RDB) (Entered: 06/27/2002)
06/26/2002	5	ATTORNEY APPEARANCE for defendant Geno L. King made by Assistant Federal Public Defender Carlos A. Monzon. (RDB) (Entered: 06/27/2002)
06/26/2002	6	RECEIPT for a copy of the Indictment signed by defendant Geno L. King and his attorney of record. (RDB) (Entered: 06/27/2002)
06/26/2002	7	ORDER FOR THE PROGRESSION OF A CRIMINAL CASE entered by Magistrate Judge David L. Piester: pretrial motions due within 21 days; discovery due within 10 days; 2-day jury trial set for 9:00 a.m. on 9/9/02 for defendant Geno L. King - COPIES MAILED (RDB) (Entered: 06/27/2002)
06/26/2002	8	ORDER by Magistrate Judge David L. Piester setting conditions of release for defendant Geno L. King - COPIES MAILED (RDB) (Entered: 06/27/2002)
07/08/2002	9	ARREST Warrant returned executed as to Geno L. King on 6/20/02 (RDB) (Entered: 07/09/2002)
07/08/2002		DEFENDANT Geno L. King arrested on 6/20/02 (RDB) (Entered: 07/09/2002)
07/10/2002	10	MOTION by defendant Geno L. King to allow Carlos A. Monzon to withdraw as attorney for defendant , and for appointment of CJA counsel (RDB) (Entered: 07/10/2002)
07/15/2002	11	ORDER by Magistrate Judge David L. Piester granting defense counsel Carlos A. Monzon's motion to withdraw [10-1]; and the Federal Public Defender shall provide the court with a draft appointment order for substitute CJA counsel - as to defendant Geno L. King - COPIES MAILED, FPD-CJA (RDB) (Entered: 07/15/2002)
08/02/2002	12	ATTORNEY APPEARANCE for defendant Geno L. King by attorney Deborah D. Cunningham (JSF) (Entered: 08/05/2002)

08/05/2002		TRANSMITTAL OF DOCUMENTS re: [12-1] to Lincoln (JSF) (Entered: 08/05/2002)
08/21/2002	13	MEMORANDUM AND ORDER: by Magistrate Judge David L. Piester that this case is removed from the trial docket; a change of plea hearing is set for 1:30 9/20/02 for Geno L. King ; and the time between 8/21/02 and the hearing is excluded under the Speedy Trial Act - COPIES MAILED (RDB) (Entered: 08/22/2002)
09/10/2002	14	SEALED (JSF) (Entered: 09/11/2002)
09/11/2002		TRANSMITTAL OF DOCUMENTS re: [14-1] to Lincoln including sealed document (JSF) (Entered: 09/11/2002)
09/20/2002	15	MINUTES: before Magistrate Judge David L. Piester - Electronic recorder guilty plea entered as to both counts; ; defendant's oral consent to proceed before magistrate judge; arraignment on indictment; change of plea hearing; dft withdraws plea of NG as to both counts; guilty as to both counts; recommended that plea agreement be accepted at or before sentencing; recommended tha the plea be accepted at or before sentencing; presentnce investigation and report requested; bond cont; sent December 9, 2002 at 4:30pm; PSI packet handed to counsel; written report and recommendation will be issued as to defendant Geno L. King (PCV) (Entered: 09/20/2002)
09/20/2002	16	PETITION to enter plea of guilty by defendant Geno L. King with attached plea agreement. (PCV) (Entered: 09/20/2002)
09/20/2002	17	ORDER by Magistrate Judge David L. Piester - sentencing set for 4:30 12/9/02 for Geno L. King as to defendant Geno L. King - COPIES MAILED (PCV) (Entered: 09/20/2002)
09/20/2002	18	REPORT AND RECOMMENDATION by Magistrate Judge David L. Piester that petition [16-1] be accepted as to Geno L. King - COPIES MAILED (PCV) (Entered: 09/20/2002)
10/01/2002	19	TRANSCRIPT of Change of Plea Hearing held on 10/01/02; re: minute entry [15-2]; 25 pages - as to defendant Geno L. King - ORIGINAL TRANSCRIPT IN SEPARATE FOLDER (RDB) (Entered: 10/02/2002)
10/07/2002	20	MOTION by plaintiff USA for issuance of Preliminary Order of Forfeiture and memorandum brief as to Geno L. King (MKR) (Entered: 10/07/2002)
10/07/2002		TRANSMITTAL OF DOCUMENTS re: [20-1] to Lincoln (MKR) (Entered: 10/07/2002)
10/09/2002	21	MEMORANDUM AND ORDER: by Chief Judge Richard G. Kopf accepting REPORT AND RECOMMENDATION by Magistrate Judge David L. Piester [18-1]; dft is found guilty; acceptance of the plea agreement is deferred until time of sentencing; case shall proceed to sentencing - as to defendant Geno L. King - COPIES MAILED (BMH) (Entered: 10/09/2002)
10/09/2002	22	PRELIMINARY ORDER OF FORFEITURE by Chief Judge Richard G. Kopf that govt's motion for issuance of Preliminary Order of Forfeiture and

		memorandum brief [20-1] is sustained; USM is authorized to seize \$1,052.00 in U.S. currency; dft's interest in said property is forfeited to USA - as to defendant Geno L. King - COPIES MAILED (BMH) (Entered: 10/09/2002)
11/18/2002	23	AFFIDAVIT of Publication by Attorney Nancy A. Svoboda as to defendant(s) Geno L. King (Svoboda, Nancy) (Entered: 11/18/2002)
11/20/2002	24	MOTION to Continue Sentencing Date, filed by Attorney Deborah D. Cunningham on behalf of defendant Geno L. King. (RDB) (Entered: 11/21/2002)
11/20/2002	25	STATEMENT REGARDING PRESENTENCE REPORT, filed by Attorney Deborah D. Cunningham, that defendant Geno L. King has no objections or corrections. (RDB) (Entered: 11/21/2002)
11/26/2002	26	TENTATIVE FINDINGS OF FACT regarding Revised Presentence Investigation Report and Addendum as to defendant Geno L. King. It is ordered that: (1) The parties are herewith notified that my tentative findings are that the presentence report is correct in all respects; (2) If any party wishes to challenge these tentative findings, said party shall, as soon as possible, but in any event at least five (5) business days before sentencing, file in the court file and serve upon opposing counsel and the court a motion challenging these tentative findings, supported by (a) such evidentiary materials as are required (giving due regard to the requirements of the local rules of practice respecting the submission of evidentiary materials), (b) a brief as to the law and (c) if an evidentiary hearing is requested, a statement describing why an evidentiary hearing is necessary and how long such a hearing would take; (3) Absent submission of the information required by paragraph 2 of this order, my tentative findings may become final; (4) Unless otherwise ordered, any motion challenging these tentative findings shall be resolved at sentencing; (5) The defendant's motion to continue sentencing date <u>24</u> is granted; (6) The defendant's sentencing is continued before the undersigned United States district judge to 4:30 p.m., Friday, January 10, 2003, in Courtroom No. 1, United States Courthouse and Federal Building, 100 Centennial Mall North, Lincoln, Nebraska. Since this is a criminal case, the defendant shall be present unless excused by the court. Signed by Judge Richard G. Kopf on 11/26/2002. (KLL,) (Entered: 11/26/2002)
11/26/2002		(Court only) Per tentative findings, sentencing continued to 1/10/2003 12:30 PM in Courtroom 1 (Lincoln) before Chief Judge Richard G. Kopf as to defendant(s) Geno L. King (CCB,) (Entered: 12/06/2002)
12/06/2002	27	MOTION for Final Order of Forfeiture and Memorandum Brief by Attorney Nancy A. Svoboda as to defendant(s) Geno L. King. (Svoboda, Nancy) (Entered: 12/06/2002)
12/10/2002	28	FINAL ORDER OF FORFEITURE <u>27</u> , as to Defendant Geno L. King. Signed by Judge Richard G. Kopf on 12/10/2002. (RDB) (Entered: 12/10/2002)

01/10/2003	<u>29</u>	CONDENSED TRANSCRIPT of Sentencing Proceedings before Judge Richard G. Kopf, held on January 10, 2003. Court Reporter: David C. Francis; Number of Pages: 10. To obtain a bound copy of this transcript, please contact David C. Francis at (402) 438-2446 as to Geno L. King. (DCF) (Entered: 01/10/2003)
01/10/2003	<u>31</u>	NOTICE of right to appeal in criminal case signed by Attorney Deborah D. Cunningham and defendant(s) Geno L. King. (CCB,) (Entered: 01/13/2003)
01/10/2003	32	(Court only) SEALED - THIS IS A TEXT ONLY ENTRY. A PDF DOCUMENT IS NOT ATTACHED TO THIS ENTRY. (CCB,) (Entered: 01/13/2003)
01/13/2003	<u>30</u>	Minute Entry for sentencing proceedings held before Judge Richard G. Kopf as to defendant(s) Geno L. King; on plea of guilty to Count I and II of the indictment, defendant sentenced on Count I of indictment to 120 months Bureau of Prisons followed by 5 years of supervised release with special conditions and pay special assessment in the amount of \$100; Final order of forfeiture entered 12/10/02 as to Count II of indictment; execution of sentence of imprisonment suspended until sixty days from this date; defendant released pending execution of sentence of imprisonment on same terms and conditions as previously released. (Court Reporter David Francis) (CCB,) (Entered: 01/13/2003)
01/14/2003	<u>33</u>	JUDGMENT as to Geno L. King as to Count 1 of the Indictment. Defendant Sentenced to 120 months to the Bureau of Prisons. 5 years Supervised Release. \$100.00 Special Assessment paid on 1/10/03 and defendant shall self surrender before 2:00pm no earlier than 60 days from today's date; As to Count 2, final Order of forfeiture filed on 12/10/02 as to Count 2 of the Indictment as to defendant Geno L. King . Signed by Judge Richard G. Kopf on 1/14/2003. (KBJ) (Entered: 01/14/2003)
01/14/2003		(Court only) Criminal Case Terminated as to defendant Geno L. King (KBJ) (Entered: 01/14/2003)
02/06/2003	<u>3</u>	NOTICE by Clerk - it has been brought to our attention that terminated attorneys are not receiving e-mail notices. After consultation with the Administrative Office (AO), the clerk's office was advised that a local change was not made to the CM/ECF software when a new release was loaded on December 11, 2002. On February 5, 2003, the required change was made, and all terminated attorneys now receive electronic notice. The next release of the software, which is scheduled to be released to the courts in March 2003, will allow terminated attorneys to remove electronic notice on a case-by-case basis. The docket sheet reflects the following document(s) filed in this case between December 11, 2002 and February 5, 2003: <u>33</u> , <u>29</u> , <u>30</u> , <u>31</u> . The Notice(s) of Electronic Filing erroneously reflect(s) that notice was sent to the terminated attorney(s) in this case. In the event a terminated attorney needs a copy of the above-referenced document(s), please contact the Help Desk in Omaha at 1-866-220-4381, option 0 or Lincoln at 1-866-220-4379, option 2. (DKM,) (Entered: 02/06/2003)

03/18/2003	● <u>34</u>	Judgment Returned Executed as to Geno L. King (JSF) (Entered: 03/19/2003)
07/09/2003	● <u>35</u>	CJA 20 as to Geno L. King: Authorization to Pay Deborah Cunningham. Amount: \$ 2,526.00, Voucher # 030603 000068. Signed by Judge Richard G. Kopf on 5/28/2003. (JSF) (Entered: 07/09/2003)
09/16/2003	● <u>36</u>	MOTION to Reduce Sentence <i>Motion and Request for Hearing Pursuant to Rule 35(b)</i> by Attorney David W. Stempson as to defendant(s) Geno L. King. (Stempson, David) (Entered: 09/16/2003)
09/17/2003	● <u>37</u>	ORDER as to Geno L. King. It is ordered that: (1) The government's motion for hearing is granted; (2) A hearing on the government's motion for reduction of sentence pursuant to Rule 35(b) <u>36</u> has been set before the undersigned United States district judge at 1:00 p.m., Monday, September 29, 2003, in Courtroom No. 1, United States Courthouse and Federal Building, 100 Centennial Mall North, Lincoln, Nebraska; (3) Counsel for the defendant, if previously appointed pursuant to the Criminal Justice Act, is reappointed to represent the defendant for purposes of the Rule 35(b) motion. If retained, counsel for the defendant remains as counsel for the defendant until the Rule 35(b) motion is resolved or until given leave to withdraw; (4) The Federal Public Defender shall provide CJA counsel with a new voucher; (5) The Clerk of the Court shall mail a copy of this order to counsel for the government, counsel for the defendant and the Federal Public Defender; (6) At the request of the defendant through his counsel, and with the agreement of the government, the defendant may be absent from the hearing on the Rule 35 motion; (7) The Marshal is directed not to return the defendant to the district; and (8) The defendant is held to have waived his right to be present. Signed by Judge Richard G. Kopf on 9/17/2003. (KLL,) (Entered: 09/17/2003)
09/17/2003		(Court only) Set/Reset Deadlines: Setting Response Date regarding government's MOTION for Hearing Pursuant to Rule 35(b) <u>36</u> , as to Defendant Geno L. King. Motion Hearing set for 09/29/2003 01:00 PM in Courtroom 1 (Lincoln) before Chief Judge Richard G. Kopf, per Memorandum and Order <u>37</u> . (RDB) (Entered: 09/17/2003)
09/29/2003	● <u>38</u>	Minute Entry for proceedings held before Judge Richard G. Kopf as to defendant(s) Geno L. King. Motion Hearing held on 9/29/2003 regarding Government's MOTION to Reduce Sentence <i>Pursuant to Rule 35(b)</i> <u>36</u> . (Defendant waived right to be present.) Court grants Government's motion and defendant's sentence of imprisonment is reduced from the original sentence to a term of 54 months under the same terms and conditions as previously set forth in the original judgment and commitment order dated 1/4/2003. Special assessment of \$100 has been paid. Defendant's counsel advised of defendant's right to appeal. (Court Reporter Kelly Horsley) (CCB,) (Entered: 09/29/2003)
09/30/2003	● <u>39</u>	AMENDED JUDGMENT IN A CRIMINAL CASE ON MOTION OF THE GOVERNMENT AFTER INITIAL SENTENCING as to defendant Geno L. King (1): Count 1, defendant's original sentence is REDUCED to a term of 54 months custody of the U.S. Bureau of Prisons, followed by 5 years Supervised Release and a \$100.00 Special Assessment paid on 1/10/03. As to Count 2 of

		the Indictment, final Order of forfeiture was filed on 12/10/02. Signed by Judge Richard G. Kopf on 9/30/2003, sentence imposed 9/29/2003. (5 CC to USM). (JAR,) (Entered: 09/30/2003)
10/28/2003	●40	TRANSCRIPT of Proceedings before Judge Kopf, held on September 29, 2003. Court Reporter: Kelly Horsley; Number of Billable Pages: 5. Number of Total Pages: 6 as to defendant(s) Geno L. King (Horsley, Kelly) (Entered: 10/28/2003)
01/16/2004	41	(Court only) SEALED CJA Voucher as to defendant(s) Geno L. King .(TJS,) (Entered: 01/16/2004)
01/16/2004		(Court only) ***TRANSMITTAL of documents [41] to Lincoln as to Geno L. King. THIS IS A TEXT ONLY ENTRY. A PDF DOCUMENT IS NOT ATTACHED TO THIS ENTRY. (TJS,) (Entered: 01/16/2004)
06/26/2006	42	(Court only) CONSENT to Modify Conditions of Release - THIS IS A TEXT ONLY ENTRY FOR MJSTAR STATISTICAL PURPOSES. (JAR) (Entered: 06/27/2006)
06/26/2006	●43	ORDER granting [42]and CONSENT regarding modifying conditions of release, with Waiver of Hearing attached, as to Geno L. King (1). ACCESS TO THE PDF DOCUMENT IS RESTRICTED PURSUANT TO THE E-GOVERNMENT ACT. ACCESS IS LIMITED TO COUNSEL OF RECORD AND THE COURT Signed by Judge Richard G. Kopf on 6/26/2006. (JAR) (Entered: 06/27/2006)
08/09/2007	●44	Probation Jurisdiction Transferred to USDC-Northern District of California (San Jose) as to Geno L. King. ACCESS TO THE PDF DOCUMENT IS RESTRICTED PURSUANT TO THE E-GOVERNMENT ACT. ACCESS IS LIMITED TO COUNSEL OF RECORD AND THE COURT. Transmitted Transfer of Jurisdiction form, with certified copies of indictment, judgment, amended judgment and docket sheet as to defendant Geno L. King. Ordered by Judge Richard G. Kopf.(CS,) (Entered: 08/09/2007)
08/09/2007	●45	Transmittal Letter to USDC-Northern District of California (San Jose) enclosing certified copies of Indictment [1], Judgment 33, Amended Judgment 39, Transfer of Jurisdiction Order 44 and docket sheet as to defendant Geno L. King. (CS,) (Entered: 08/09/2007)